

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 70-74 are now cancelled.

Claims 42, 43, 45-47, 49, 53, 54, 56-58, 60, 68, and 69 stand rejected, under 35 USC §103(a), as being unpatentable over Beckmann et al. (US 2004/0028078) in view of Cheng et al. (US 2004/0228313). Claims 51 and 62 stand rejected, under 35 USC §103(a), as being unpatentable over Beckmann in view of Cheng and the 3GPP TR 25.896 V6.0.0 (2004-03) article. The Applicants respectfully traverse these rejections as follows.

Claim 42 defines a data transmission method in which a mobile terminal: (1) receives radio bearer mapping information indicating one of a plurality of scheduling modes of a logical channel, (2) maps a radio bearer to the logical channel taking into account the received radio bearer mapping information, and (3) assigns the indicated scheduling mode to the logical channel.

The Final Rejection proposes that Cheng discloses the above subject matter in paragraph [0029] (see Final Rejection, page 3, last line, through page 4, line 5, page 6, last three lines, and page 7, lines 1-2).

However, the Applicants note that Cheng discloses selecting between an autonomous mode or a scheduled mode of transmission based on a received parameter (see Cheng paragraph [0029], lines 1-2 and 7-9). Selecting whether or not to use a scheduled transmission mode is not the same as selecting a particular one of multiple scheduled transmission modes to use. And selecting an autonomous mode is not the same as selecting any type of scheduled mode. Thus,

Cheng does not disclose the Applicants' claimed subject matter of receiving radio bearer mapping information indicating which one of a plurality of scheduling modes is to be assigned to a logical channel. And Beckmann is not cited in the Final Rejection for supplementing the teachings of Cheng in this regard.

Applicants similarly presented the immediately-preceding remarks for distinguishing claim 42 from the applied references in their Amendment dated July 14, 2009. In reply to these remarks, the Final Rejection proposes that Cheng discloses selecting a "transmission mode" based on a received parameter (see Final Rejection page 4, lines 1-2). However, as discussed above, Cheng discloses only two transmission modes, of which only one is a scheduled transmission mode. Thus, Cheng does not disclose the Applicants' claimed subject matter of: (1) receiving radio bearer mapping information indicating which one of a plurality of scheduling modes is to be assigned to a logical channel and (2) assigning the indicated scheduling mode to the logical channel.

Accordingly, the Applicants submit that the teachings of Beckmann and Cheng, even if combined as proposed in the Final Rejection, still would lack the above-noted features of claim 42 and thus these references, considered individually or in combination, do not render obvious the subject matter now defined by claim 42. Independent claims 53, 63, 68, and 69 similarly recite the above-mentioned subject matter distinguishing method claim 42 from the applied references, though claims 53 and 69 do so with respect to apparatuses and claim 63 does so with respect to a computer readable medium. Therefore, allowance of claims 42, 53, 63, 68, and 69 and all claims dependent therefrom is deemed to be warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

Date: February 9, 2010
JEL/DWW/att

James E. Ledbetter
Registration No. 28,732

Attorney Docket No. 007725-06113
Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 659-6966
Facsimile: (202) 659-1559